

**DECLARATION AND POWER OF
ATTORNEY - ORIGINAL APPLICATION**

Bruce J. Clark, Attorney
Attorney's No. 31,339

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

specification of which

(check one)

- ☐ Is attached hereto
☐ Was filed on _____ as
 Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | Priority | Claimed |
|--------------------------------------|----------|---------|
| <u>None</u> | N/A | N/A |
| Number Country Date/Month/Year Filed | | |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application in the manner provided by the first paragraph of Title

35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS-PATENTED, PENDING, ABANDONED |
|------------------------|-------------|--|
|------------------------|-------------|--|

POWER OF ATTORNEY: As a named inventor, I hereby appoint Bruce J. Clark, Registration No. 31,339, Commerce Bank Building Downtown, 100 East 9th St., P.O. Box 3555, Topeka, Kansas 66601, as attorney to prosecute this Application and transact all business in the Patent and Trademark office connected therewith.

Send correspondence to

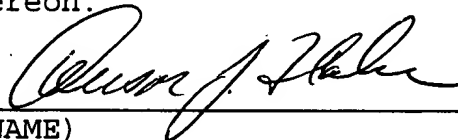
Bruce J. Clark,
Wright, Henson, Somers, Sebelius,
Clark & Baker, LLP
Commerce Bank Building Downtown
100 E. 9th Street, P. O. Box 3555
Topeka, Kansas 66601-3555
(785) 232-2200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

8/3/99

(NAME)



Residence: 4122 Nantucket Drive
Mechanicsburg, PA 17055

Citizenship: U.S.A.

Doc #

Express Mail: EM15715572145

**DECLARATION AND POWER OF
ATTORNEY - ORIGINAL APPLICATION**

Bruce J. Clark, Attorney
Attorney's No. 31,339

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My residence, post office address and citizenship are as stated below next to my name.

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specification of which

(check one)

- ☐ Is attached hereto
☐ Was filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

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| Prior Foreign Application(s) | Priority | Claimed |
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| <u>None</u> | N/A | N/A |
| Number Country Date/Month/Year Filed | | |

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VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)

Applicant or Patentee: John A. Turak, Anson J. Flake

Application or Patent No.:

Filed or Issued:

Title: Combination Swimming, Walking, Running, Massage, Therapeutic, and
 Recreational Device
 I hereby declare that I am

☐ the owner of the small business concern identified below;
☐ an official of the small business concern empowered to act on behalf of the
 concern identified below:

NAME OF SMALL BUSINESS CONCERN:

ADDRESS OF SMALL BUSINESS CONCERN:

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract law have been conveyed and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above
☐ the application identified above
☐ the patent identified above

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists
☐ each such person, concern, or organization is listed below

FULL NAME: HydroWarx International, Inc.

ADDRESS: 1961 Fulling Mill Rd, Middletown, PA 17057

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as small entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: John Turak and Anson Flake

TITLE OF PERSON SIGNING IF OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

SIGNATURE: John Turak and Anson Flake DATE August 5, 1977

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (OptionsL)

Applicant or Patentee: John A. Turak, Anson J. Flake

Application or Patent No.:

Filed or Issued:

Title: Combination Swimming, Walking, Running, Massage, Therapeutic, and Recreational Device

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office with regard to the invention entitled Combination Swimming, Walking, Running, Massage, Therapeutic, and Recreational Device described in:

- ☒ the specification filed herewith with title as listed above
☐ the application identified above
☐ the patent identified above

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

- ☐ No such person, concern or organization exists
☐ Persons, concerns, or organizations listed below

FULL NAME: Hydroworx International, Inc.

ADDRESS: 1961 Fulling Mill Rd., Middletown, PA 17057

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

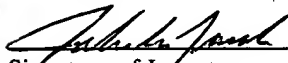
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John A. Turak

NAME OF INVENTOR



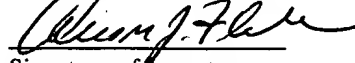
Signature of Inventor

8/3/99

Date

Anson J. Flake

NAME OF INVENTOR



Signature of Inventor

8/3/99

Date

NAME OF INVENTOR

Signature of Inventor

Date

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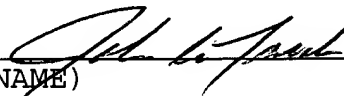
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Date 8/3/99


(NAME)

Residence: 33 E. Part St., Apt. #5
Elizabethtown, PA 17022

Citizenship: U.S.A.

Doc #